

From: Jesse Sweetland
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:20am
Subject: Microsoft Settlement

Dear Sir or Madam,

I am presently very concerned with the proceedings of the Microsoft Anti-trust case. I am not a lawyer, and I don't understand the finer points of the proposed settlements. I feel that the broad wording of the proposed settlement and failure to accurately define terms in a definite, undisputable, and technical sense contribute largely to this. I will therefore avoid a technical criticism and express more plainly my fears concerning Microsoft's monopoly.

I am currently composing this E-mail on a machine with Microsoft Windows 2000, using the Microsoft Outlook portion of the Microsoft Office 2000 product suite. From my computer it will travel upstream to a Microsoft Exchange E-mail server, where it will in turn be transmitted via the World Wide Web and land in your inbox, presumably a part of another Microsoft Product.

Perhaps the E-mail address I am sending to is an alias for a mailing list, and this letter will find its way to a Microsoft Hotmail account, and a user, authorized using his or her Microsoft Passport, may view it. In the not-so-very-future perhaps this will be done using a Microsoft Homestation over the Microsoft Network, using proprietary protocols and encryption schemes.

And while this hypothetical individual is viewing his E-mail, it is entirely possible that he is listening to music purchased via one of Microsoft's partnerships with various music labels, protected against distribution using Microsoft's Digital Rights Management, which, of course, is built into the hardware/firmware of the Microsoft Homestation and Microsoft Windows XP, which, in accordance with future digital rights management legislation (SSSCA), will be the only hardware/software bundle which conforms to the mandatory digital rights management requirements.

Microsoft has a foothold in the hardware, operating system, application, media, services, and development arenas. Like any business, when they see an opportunity to expand their business model to increase profit, they do so. Unlike other businesses, they can move in and sell products at a loss to gain market share until the competition is eliminated. Right now the Microsoft XBox sells for a per-unit loss of \$150. This puts them in the same price range as the Sony Playstation 2 and the Nintendo Gamecube. With more advanced hardware and similar development platform as Microsoft Windows, the XBox stands an excellent chance of outselling and stifling the competition in the market. This is Microsoft's first entry into the market, and it will dominate in less than a year.

Right now an individual can sign up for a Microsoft Passport and Microsoft Passport Wallet accounts (indeed they are **strongly** encouraged to do so in Windows XP) and with a single click authenticate themselves on a number of online sites. While this adds convenience it gives Microsoft a disturbing amount of control and influence online. This, combined with national ID card legislation puts Microsoft in a position to be the first to synchronize its own authentication services with the national registry. No other company has the infrastructure or the capital.

Microsoft is aligning itself with the major powers, namely the government and the entertainment industry. It's breaking into new markets with disturbing power and force. Microsoft already controls the form and function of my daily life in the workplace and on my home PC, but it also stands to control what music I listen to how often, where I may shop, and what kind of digital content I may view. It may track my purchasing habits, my financial transactions, and the places I like to visit on the web. Doesn't having all of this power in one company concern you?

Microsoft has called itself "the Gatekeeper." That's scary enough, isn't it? Especially considering their track record for security and stability.

I would feel much safer knowing that Microsoft was divided into two if not more separate companies. Opening APIs and promising to be nice is not enough. Microsoft can and will find a way to abuse the wording of this settlement to the detriment of its competition. Look at its track record of legal battles and you will see that there is not much it can't accomplish.

Look at how people are balking at the decision to split up Microsoft. They know that doing so would cause a severe disruption in the industry. It would profoundly affect thousands of businesses. Isn't this evidence enough that they **should** be divided?

Please, reject the proposed settlement in favor of a decision to break up Microsoft.

Thank you.

Jesse Sweetland
Programmer/Analyst
Network Telephone Corporation